

110TH CONGRESS  
1ST SESSION

# S. 2118

To encourage the use of research-proven programs in the Elementary and Secondary Education Act of 1965.

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2007

Mr. LUGAR (for himself and Mr. BINGAMAN) introduced the following bill;  
which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To encourage the use of research-proven programs in the Elementary and Secondary Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Proven Programs for  
5 the Future of Education Act of 2007”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—RESEARCH-PROVEN PROGRAMS AND COMPETITIVE  
GRANTS

Sec. 101. Research-proven programs and competitive grants.

TITLE II—RESEARCH-PROVEN REFORM IN READING FIRST

Sec. 201. Purposes.

Sec. 202. Formula grants to state educational agencies.

Sec. 203. State formula grant applications.

Sec. 204. Information dissemination.

Sec. 205. Definitions.

TITLE III—DEFINITION OF RESEARCH-PROVEN PROGRAM

Sec. 301. Definition of research-proven program.

**1 TITLE I—RESEARCH-PROVEN**  
**2 PROGRAMS AND COMPETI-**  
**3 TIVE GRANTS**

**4 SEC. 101. RESEARCH-PROVEN PROGRAMS AND COMPETI-**  
**5 TIVE GRANTS.**

**6** Title IX of the Elementary and Secondary Education  
**7** Act of 1965 (20 U.S.C. 7801 et seq.) is amended by add-  
**8** ing at the end the following:

**9 “PART G—RESEARCH-PROVEN PROGRAMS**  
**10 “SEC. 9701. RESEARCH-PROVEN PROGRAMS AND COMPETI-**  
**11 TIVE GRANTS.**

**12** “In all competitive grants that are awarded by the  
**13** Department to a State educational agency or a local edu-  
**14** cational agency or by a State educational agency to a local  
**15** educational agency under this Act, competitive preference  
**16** points equal to 10 percent of the total number of points  
**17** awarded may be awarded to a State educational agency  
**18** or local educational agency if such State educational agen-  
**19** cy or local educational agency proposes in the grant appli-

1 cation to use research-proven programs, when appro-  
 2 priate.”.

## 3 **TITLE II—RESEARCH-PROVEN** 4 **REFORM IN READING FIRST**

### 5 **SEC. 201. PURPOSES.**

6 Section 1201(1) of the Elementary and Secondary  
 7 Education Act of 1965 (20 U.S.C. 6361(1)) is amended  
 8 by inserting “research-proven reading programs, or, at a  
 9 minimum, are” after “that are”.

### 10 **SEC. 202. FORMULA GRANTS TO STATE EDUCATIONAL** 11 **AGENCIES.**

12 Section 1202 of the Elementary and Secondary Edu-  
 13 cation Act of 1965 (20 U.S.C. 6362) is amended—

14 (1) in subsection (c)—

15 (A) in paragraph (2), by adding at the end  
 16 the following:

17 “(C) PREFERENCE.—In making subgrants  
 18 to eligible local educational agencies, a State  
 19 educational agency shall award competitive  
 20 preference points equal to 10 percent of the  
 21 total number of points if applicants propose to  
 22 use research-proven reading programs.”; and

23 (B) in paragraph (7)(A)(ii), by striking  
 24 “learning system or program of reading instruc-

tion” and inserting “research-proven reading program, or, at a minimum, a program”; and (2) in subsection (d)—

(A) in paragraph (3)(A)(ii)(I), by inserting “that are research-proven reading programs, or, at a minimum, are” before “based on”; and

(B) in paragraph (4)—

(i) in subparagraph (A)(i), by inserting “that are research-proven reading programs, or, at a minimum, are” after “instruction”; and

(ii) in subparagraph (B)(ii), by inserting “research-proven reading programs, or, at a minimum, programs of” after “clause (i),”.

**SEC. 203. STATE FORMULA GRANT APPLICATIONS.**

Section 1203 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363) is amended—

(1) in subsection (b)(4)—

(A) in subparagraph (B), by striking “instructional materials, programs, strategies, and approaches,” and inserting “research-proven reading programs, or, at a minimum, programs”;

1 (B) in subparagraph (C)(ii), by inserting  
 2 “research-proven reading programs, or, at a  
 3 minimum, programs” after “(ii)”; and

4 (C) in subparagraph (E), by inserting “re-  
 5 search-proven reading programs, or, at a min-  
 6 imum,” after “will use”;

7 (2) in subsection (c)(2)(B)—

8 (A) in clause (ii)—

9 (i) by striking “to individuals who  
 10 teach reading to children and adults”;

11 (ii) by inserting “on research-proven  
 12 reading programs, or, at a minimum, pro-  
 13 grams” before “based on”; and

14 (iii) by inserting “to individuals who  
 15 teach reading to children and adults” after  
 16 “research”; and

17 (B) in clause (iii)—

18 (i) by striking “to other instructional  
 19 staff”;

20 (ii) by inserting “on research-proven  
 21 reading programs, or, at a minimum, pro-  
 22 grams” before “based on”; and

23 (iii) by inserting “to other instruc-  
 24 tional staff” after “research”; and

25 (3) in subsection (d)—

1 (A) in paragraph (2)(E), by inserting “re-  
 2 search-proven reading programs, or, at a min-  
 3 imum, programs based on” after “tutors and”;  
 4 and

5 (B) in paragraph (3)—

6 (i) in subparagraph (A), by inserting  
 7 “a research-proven reading program, or, at  
 8 a minimum, a program” after “that is”;  
 9 and

10 (ii) in subparagraph (C), by inserting  
 11 “on research-proven reading programs, or,  
 12 at a minimum, programs” after “instruc-  
 13 tion”.

14 **SEC. 204. INFORMATION DISSEMINATION.**

15 Section 1207(a) of the Elementary and Secondary  
 16 Education Act of 1965 (20 U.S.C. 6367(a)) is amended—

17 (1) in paragraph (1), insert “research-proven  
 18 reading programs, or, at a minimum,” after “infor-  
 19 mation on”; and

20 (2) in paragraph (3), insert “of research-proven  
 21 reading programs, or, at a minimum,” after “in-  
 22 struction”.

23 **SEC. 205. DEFINITIONS.**

24 Section 1208 of the Elementary and Secondary Edu-  
 25 cation Act of 1965 (20 U.S.C. 6368) is amended—

1 (1) by redesignating paragraphs (6) and (7), as  
 2 paragraphs (7) and (8), respectively; and

3 (2) by inserting after paragraph (5) the fol-  
 4 lowing:

5 “(6) RESEARCH-PROVEN READING PROGRAM.—

6 “(A) IN GENERAL.—The term ‘research-  
 7 proven reading program’ means a program that  
 8 is determined to be a qualified program pursu-  
 9 ant to subparagraph (B) and that is evaluated  
 10 in not less than 2 studies, both of which studies  
 11 meet the following minimum criteria:

12 “(i) The program was compared to a  
 13 control group using alternative or tradi-  
 14 tional methods.

15 “(ii) The study duration was not less  
 16 than 12 weeks.

17 “(iii) Program and control schools  
 18 were equivalent at pretest in reading  
 19 achievement (within 0.5 standard devi-  
 20 ations). Analyses of posttest differences  
 21 were adjusted for pretest differences.

22 “(iv) The reading posttest measures  
 23 used to compare program and control  
 24 groups is a valid standardized or criterion-  
 25 referenced test of reading, such as a State

1           accountability test, and is not inherent to  
2           the program. For example, tests made by  
3           the program authors, or tests of content  
4           not studied by control students, do not  
5           qualify.

6           “(v) The sample size of each study is  
7           not less than 5 classes or 125 students per  
8           treatment (10 classes or 250 students  
9           overall). Multiple smaller studies may be  
10          combined to reach this sample size collec-  
11          tively.

12          “(vi) The median difference between  
13          program and control students across all  
14          qualifying studies is not less than 20 per-  
15          cent of student-level standard deviation, in  
16          favor of the program students.

17          “(B) REVIEW.—

18          “(i) IN GENERAL.—The Department  
19          shall constitute a review panel to review  
20          scientific reviews of reading evaluations  
21          and determine which programs qualify as  
22          qualified research-proven reading pro-  
23          grams.

24          “(ii) PANEL MEMBERS.—Review panel  
25          members shall have expertise in scientific



research review and in scientifically based reading research but may not have financial or personal connection with the authors or publishers of any programs.

“(iii) PANEL MEETINGS.—Review panel meetings shall be open to the public and minutes shall be made available to the public.”.

## **TITLE III—DEFINITION OF RESEARCH-PROVEN PROGRAM**

### **SEC. 301. DEFINITION OF RESEARCH-PROVEN PROGRAM.**

Section 9101 Note: This is the correct section reference, not 1901. of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (37) through (43) as paragraphs (38) through (44), respectively; and

(2) by inserting after section (36) the following:

“(37) RESEARCH-PROVEN PROGRAM.—

“(A) IN GENERAL.—The term ‘research-proven program’ means a program that is determined to be a qualified program pursuant to subparagraph (B) and that is evaluated in not less than 2 studies, both of which studies meet the following minimum criteria:

1           “(i) The program was compared to a  
2 control group using alternative or tradi-  
3 tional methods.

4           “(ii) The study duration was not less  
5 than 12 weeks.

6           “(iii) Program and control schools  
7 were equivalent at pretest in achievement  
8 (within 0.5 standard deviations). Analyses  
9 of posttest differences are adjusted for pre-  
10 test differences.

11           “(iv) The posttest measures used to  
12 compare program and control groups is a  
13 valid standardized or criterion-referenced  
14 test, such as a State accountability test,  
15 and is not inherent to the program. For  
16 example, tests made by the program au-  
17 thors, or tests of content not studied by  
18 control students, do not qualify.

19           “(v) The sample size of each study is  
20 not less than 5 classes or 125 students per  
21 treatment (10 classes or 250 students  
22 overall). Multiple smaller studies may be  
23 combined to reach this sample size collec-  
24 tively.

1           “(vi) The median difference between  
2           program and control students across all  
3           qualifying studies is not less than 20 per-  
4           cent of student-level standard deviation, in  
5           favor of the program students.

6           “(B) REVIEW.—

7           “(i) IN GENERAL.—The Department  
8           shall constitute a review panel to review  
9           scientific reviews of program evaluations  
10          and determine which programs qualify as  
11          research-proven programs.

12          “(ii) PANEL MEMBERS.—Panel mem-  
13          bers shall have expertise in scientific re-  
14          search review but may not have financial  
15          or personal connection with the authors or  
16          publishers of any programs.

17          “(iii) PANEL MEETINGS.—Panel meet-  
18          ings shall be open to the public and min-  
19          utes shall be made available to the pub-  
20          lic.”.

○